



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 130-2006

**TO: ALL EXECUTIVE / PRESIDING JUDGES AND
CLERKS OF COURTS / ACCOUNTABLE OFFICERS/
BRANCH CLERKS OF COURT, OFFICER-IN-CHARGE
OF THE FIRST AND SECOND LEVEL COURTS**

**SUBJECT: COLLECTION AND PAYMENT OF
MOTION FOR POSTPONEMENT**

This Office has been receiving queries on the payment of motion for postponement which has been perceived by some party litigants and lawyers as one of those suspended in a Resolution issued by the *Court En Banc* dated September 21, 2004 in A.M. No. 04-2-04-SC.

Considering that motion for postponement is not a new item and had been previously implemented under amended Rule 141 of the Rules of Court by virtue of A.M. No. 99-8-01-SC dated September 14, 1999 and A.M. No. 00-2-01-SC dated February 1, 2000, the collection and payment of the same is still enforceable.

Only the new rates prescribed in the Amended Rule 141 of the Rules of Court (A.M. No. 04-2-04-SC) which became effective on August 16, 2004 has been suspended and the old rate prescribed and clarified in Circular No. 57-2000 dated September 5, 2000 shall prevail which is quoted in part:

x x x

“That for the first postponement, the fee to be collected is one hundred pesos (P100.00); one hundred fifty pesos (P150.00) for the second postponement; two hundred pesos (P200.00) for the third; two hundred fifty pesos (P250.00) for the fourth, and so forth.”

x x x

Any uncollected amounts of motion for postponements shall be deemed lien on the judgment and shall be payable to the Court concerned.

For strict compliance:

August 29, 2006.


CHRISTOPHER O. LOCK
Court Administrator